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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Arent Fox
1050 Connecticut Avenue, NW
Washington, DC 20036-5339

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October 4, 1993

Mitchell Lazarus
Tel: 202/857-6466
Fax: 202/857-6395

Ralph A. Haller, Chief
Private Radio Bureau
Federal Communications Commission
Room 5002 -- Mail Stop 1700
2025 M Street NW
Washington DC 20554

Re: PR Docket No. 93-61, Automatic Vehicle Monitoring Systems

EX PARTE COMMUNICATION

Dear Mr. Haller:

On behalf of Dr. Frederic P. Heiman and Raymond A. Martino of Symbol Technologies, Inc. and Peter Tannenwald of this firm, I am writing to thank you, along with Ms. Baker, Ms. Allen, and Mr. Sharkey, for your hospitality on September 27. I regret that Messrs. Nakamura and Netro were unable to attend.

During that meeting, we mentioned that Symbol had received copies of letters from several of its customers opposing an allocation at 902-928 MHz for Location and Monitoring Services.

As we discussed, I am enclosing a sampling of letters from Kmart Corporation, Toys "R" Us, Waldenbooks, Haggar Apparel Co., and The Sabre Group.

If you have any questions, please do not hesitate to call.

Respectfully submitted,

Mitchell Lazarus

Enclosures

cc: William F. Caton, Acting Secretary (2 copies)
Beverly G. Baker
Kent Y. Nakamura
F. Ronald Netro
Rosalind Allen
Steve Sharkey

Frederic P. Heiman
Raymond A. Martino

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Respectfully submitted,

Mitchell Lazarus

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Beverly G. Baker
Kent Y. Nakamura
F. Ronald Netro
Rosalind Allen
Steve Sharkey

Frederic P. Heiman
Raymond A. Martino

David M. Carlson
Senior Vice President
Corporate Information Systems

Kmart Corporation
International Headquarters
3100 West Big Beaver Road
Troy, MI 48084-3163
313 643 5165

June 24, 1993

Ms. Donna R. Searcy, Secretary
Federal Communications Commission
Room 222 -- Mail Stop 1700A
1919 M Street N.W.
Washington, D.C. 20554

Re: Regulation for Automatic Vehicle Monitoring Systems,
PR Docket No. 93-61

Dear Ms. Searcy:

On behalf of Kmart Corporation, a user of spread spectrum communications equipment in the 902-928 MHz band, I hereby submit an original and nine copies of this comment in the above referenced proceeding.

Kmart Corporation serves America with over 4,000 retail outlets in all 50 states in the United States and in Puerto Rico, U.S. Virgin Islands, Canada, the Czech Republic and Slovakia. Kmart, currently operating 2,412 Kmart stores, is also the parent for PACE Membership Warehouse, Builders Square, PayLess Drug Stores, Waldenbooks, The Sports Authority, OfficeMax and Borders.

U.S. Kmart stores have implemented a spread spectrum network in over 2300 locations across the United States, Puerto Rico and recently in the U.S. Virgin Islands. Utilizing Spectrum One from Symbol Technologies, Kmart has successfully launched a progressive suite of in-store radio frequency applications that have led to improved operations and control of Kmart merchandise. With nearly 10,000 Symbol radio frequency terminals in use today in U.S. Kmart stores, we rely on their trouble/interference free operation for the accomplishment of these mission critical merchandising applications.

We understand that the FCC is considering the establishment of a Location and Monitoring Service (LMS) in the 902-928 MHz band. We further understand that LMS transmitters would operate at much higher power than the maximum power permitted for our transmitters, that we would have to accept any interference coming our way from LMS transmitters, and that we would have to take any necessary steps to avoid interfering with LMS operations.

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To Rick Brown	From Mark Brown
Co.	Co.
Dept.	Phone #
Fax #	Fax #

We strongly oppose this proposal because it appears to threaten reliable operation of our 902-928 MHz communications equipment. We have a substantial investment in our in our spread spectrum radio frequency equipment, and we depend on it to provide the highest level of performance for our store associates to better serve the Kmart shopper.

Accordingly, we urge the Commission not to license LMS at 902-928 MHz. If the Commission does so, however, then we ask that it not give LMS equipment priority over the communications equipment that we use on these frequencies.

Respectfully submitted,

David N. Carlson
Senior Vice President
Corporate Information Systems
Kmart Corporation

TOYS "R" US

NATIONAL OFFICES: 395 WEST PASSAIC STREET, ROCHELLE PARK, NJ 07662

June 28, 1993

Ms. Donna R. Scarcy, Secretary
Federal Communications Commission
Room 222 -- Mail Stop 1700A
1919 M. Street N.W.
Washington, DC 20554

Re: Regulations for Automatic Vehicle Monitoring Systems,
P.R. Docket No. 93-61

Dear Ms. Scarcy,

On behalf of Toys "R" Us, a user of spread spectrum communications equipment in the 902-928 MHZ band, I hereby submit an original and nine copies of this Comment in the above-referenced proceeding.

Toys "R" Us is the largest toy retailer in the world. We own and operate 550 retail toy stores across the U.S. In addition, we own and operate 210 Kids "R" Us stores, which specialize in children's clothing.

Toys "R" Us utilizes 902-928 MHZ communications equipment in all of this Toys "R" Us and Kids "R" Us stores and two distribution centers. This equipment includes over 1500 Symbol Technologies Laser Radio Terminals and over 800 RF transceivers which are used for inventory control, shipping, stock management, shelf-tag labeling, and other applications. Equipment in the 902-928 MHZ range has become integral to the way we conduct our business.

We understand that the FCC is considering the establishment of a Location and Monitoring Service (LMS) in the 902-928 MHZ band. We further understand that LMS transmitters would operate at much higher power than the maximum power permitted for our transmitters, that we would have to accept any interference coming our way from LMS transmitters, and that we would have to take any necessary wraps to avoid interfering with LMS operations.

[redacted]

We strongly oppose this proposal, because it appears to threaten reliable operation of our 902-928 MHZ communications equipment. We have a substantial investment in that equipment, and we depend on it to provide the highest quality service to our customers at the lowest possible cost.

Accordingly, we urge the Commission not to license LMS at 902-928 MHZ. If the Commission does so, however, than we ask that it not give LMS equipment priority over the communications equipment that we use on these frequencies.

Respectfully,

Matt Lombardi
Vice-President, Information Technology

Waldenbooks

June 25, 1993

Secretary
Federal Communications Commission
Room 222 -- Mail Stop 1700A
1919 M Street N.W.
Washington, DC 20554

Re: Regulations for Automatic Vehicle Monitoring Systems,
PR Docket No. 93 - 61

Dear Secretary:

On behalf of Waldenbooks, a user of spread spectrum communications equipment in the 902-92MHz band, I hereby submit an original and nine copies of this comment in the above-referenced proceeding.

Waldenbooks is a major retailer in the book industry. We currently have over 1200 retail stores nationwide with two distribution facilities located in Lavergne, TN and Ontario, CA.

Waldenbooks has made a large financial commitment to utilize spread spectrum communications. We have chosen Symbol Technologies' Spectrum One to assist in our automation processes. Currently, Waldenbooks is running a new shipping application with Spectrum One, which is our life-line to all 1200+ stores. Our objectives are to have all distribution processes (receiving, put-away, picking, etc.) automated by mid-1994. These tasks will require over one-hundred laser radio terminals in just one warehouse facility. However, the future goal of Waldenbooks is to have all 2500 portable terminals currently in our stores, upgraded to utilize spread spectrum communications by 1995.

We understand that the FCC is considering the establishment of a Location and Monitoring Service (LMS) in the 902-928 MHz band. We further understand that LMS transmitters would operate at much higher power than the maximum power permitted for our transmitters, that we would have to accept any interference coming our way from LMS transmitters, and that we would have to take any necessary steps to avoid interfering with LMS operations.

We strongly oppose this proposal, because it appears to threaten reliable operation of our 902-928 MHz communications equipment. We have a substantial investment in that equipment, and we depend on it to provide the

highest quality products and services to our customers at the lowest possible cost.

Accordingly, we urge the Commission not to license LMS at 902-928 MHz. If the Commission does so, however, then we ask that it not give LMS equipment priority over the communications equipment that we use on these frequencies.

Respectfully submitted,

Richard J. Kish
V.P., MIS

Ed A. Berndt
Director, In-Store Systems &
Technical Services

HAGGAR APPAREL COMPANY

DB

File: FCC

June 29, 1993

Mr. William Caton, Secretary
Federal Communications Commission
Room 222 -- Mail Stop 1700A
1919 M. Street N. W.
Washington, DC 20554

Dear Mr. Caton:

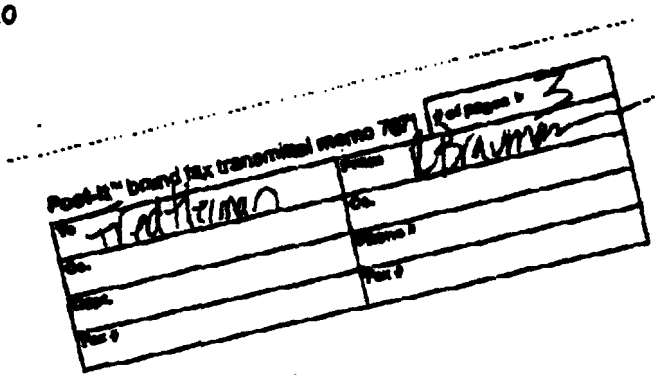
I request the attached protest of regulations for Automatic Vehicle Monitoring Systems, PR Docket No. 93-61 be accepted for review. Our late notice of this proposal, caused the delay in getting our protest to the F. C. C. by 5:30 p.m. on 6/29/93.

We feel strongly in our position on this matter since it impacts our ability to service our customers.

Sincerely,

Steve Bernier
Manager Industrial Engineering
s13:91

attachments10



HAGGAR APPAREL COMPANY

June 29, 1993

Mr. William Caton, Secretary
Federal Communications Commission
Room 222 -- Mail Stop 1700A
1919 M. Street N. W.
Washington, DC 20554

Re: Regulations for Automatic Vehicle Monitoring Systems,
PR Docket No. 93-61

Dear Mr. Caton:

On behalf of Haggar Apparel Company, a user of spread spectrum communications equipment in the 902-928 MHz band, I hereby submit an original and nine copies of this Comment in the above-referenced proceeding.

Haggar Apparel Company is headquartered in Dallas, Texas and manufactures and distributes apparel items to destinations around the world.

Haggar Apparel utilizes spread spectrum communications equipment operating in the 902-928 MHz band. Symbol Technologies' Spectrum One communications equipment is utilized in our Dallas, Texas distribution center in a shipping verification application. Up to 8 terminals may be operating at any one time.

We understand that the FCC is considering the establishment of a Location and Monitoring Service (LMS) in the 902-928 MHz band. We further understand that LMS transmitters would operate at much higher power than the maximum power permitted for our transmitters, that we would have to accept any interference coming our way from LMS transmitters and that we would have to take any necessary steps to avoid interfering with LMS operations.

We strongly oppose this proposal, because it appears to threaten reliable operation of our 902-928 MHz communications equipment. We have a substantial investment in that equipment, and we depend on it to provide the highest quality service to our customer.

6113 Lemmon Avenue Dallas, Texas 75209 (214) 352-8481

Accordingly, we urge the Commission not to license LMS at 902-928 MHz. If the Commission does so, however, then we ask that it not give LMS equipment priority over the communications equipment that we use on these frequencies.

Respectfully submitted,

Steve Bernier
Manager of Industrial Engineering
s13:90

attachments (9)

THE SABRE GROUP

6601 GOVERNORS LAKE PARKWAY, BUILDING 200, SUITE 500
NORCROSS, GEORGIA 30071
(404) 246-5009

James G. Ferry
Senior Vice President

June 28, 1993

Ms. Donna R. Searcy, Secretary
Federal Communications Commission
Room 222 - Mail Stop 1700A
1919 M. Street N.W.
Washington, DC 20554

Re: Regulations for Automatic Vehicle Monitoring Systems, PR Docket No. 93-61

Dear Ms. Searcy:

On behalf of The SABRE Group, a user of spread spectrum communications equipment in the 902-928 MHz band, I hereby submit an original and nine copies of this Comment in the above-referenced proceeding.

The SABRE Group provides data processing, system design, network communications, and equipment for major retailers.

We currently use the Symbol Spectrum one system. We have 9 major distribution centers installed using the equipment for shipping, receiving and inventory applications.

We understand that the FCC is considering the establishment of a Location and Monitoring Service (LMS) in the 902-928 MHz band. We further understand that LMS transmitters would operate at much higher power than the maximum power permitted for our transmitters, that we would have to accept any interference coming our way from LMS transmitters, and that we would have to take any necessary steps to avoid interfering with LMS operations.

We strongly oppose this proposal, because it appears to threaten reliable operation of our 902-928 MHz communications equipment. We have a substantial investment in that equipment, and we depend on it to provide the highest quality (products or services) to our customers at the lowest possible cost.

Accordingly, we urge the Commission not to license LMS at 902-928 MHz. If the Commission does so, however, then we ask that it not give LMS equipment priority over the communications equipment that we use on these frequencies.

Respectfully submitted,

James Ferry
Senior Vice President
Communications & Technology

JF:dr

Attachment